

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q77153

Kazuhiro AIKAWA

Appln. No.: 10/670,004

Group Art Unit: 1612

Confirmation No.: 6236

Examiner: Gollamudi S. KISHORE

Filed: September 25, 2003

For: LIPOSOME CONTAINING REMEDY FOR VASCULAR DISEASE

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on

May 6, 2009:

REMARKS

An Examiner's Interview Summary Record (PTO-413) was mailed May 7, 2009.

During the interview, the following was discussed:

1. Brief description of exhibits or demonstration: None
2. Identification of claims discussed: All pending claims.
3. Identification of art discussed: None
4. Identification of principal proposed amendments: None
5. Brief Identification of principal arguments: None
6. Indication of other pertinent matters discussed: None
7. Results of Interview: Applicants' representative discussed the invention and

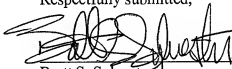
pointed to the unexpected results provided in the Rule 132 Declaration filed January 17, 2008 as

evidence that the claimed liposome incorporates more of the active agent in comparison to the liposomes described in EP '665. The Examiner appeared to take the position that because the drug is lipophilic, it is usually mixed with the phospholipids during the preparation of liposomes and therefore, incorporation of more drug is expected with the mixing of the drug with the liposomes.

It is respectfully submitted that the instant STATEMENT OF SUBSTANCE OF INTERVIEW complies with the requirements of 37 C.F.R. §§1.2 and 1.133 and MPEP §713.04.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Brett S. Sylvester
Registration No. 32,765

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: May 12, 2009